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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

MARC SPITZER, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES

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AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

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DOCKET NO. W-01004B-03-0722

IN THE MATTER OF THE APPLICATION OF
ASH FORK DEVELOPMENT ASSOCIATION,
INC. dba ASH FORK WATER SERVICE FOR A
RATE INCREASE.

PROCEDURAL ORDER

BY THE COMMISSION:

On September 30, 2003, Ash Fork Development Association, Inc. dba Ash Fork Water Service ("Company" or "Applicant") filed the above-captioned rate application with the Arizona Corporation Commission ("Commission").

On October 14, 2003, the Company filed an amendment to its application.

On October 30, 2003, Staff filed a letter indicating the Company's rate application was sufficient, and classifying the Company as a Class C utility.

On November 5, 2003, by Procedural Order, a hearing was scheduled to commence on April 23, 2004. The Commission further ordered that all requests to intervene were to be filed by December 31, 2003.

On December 8, 2003, pursuant to the Commission's Procedural Order, the Company filed certification that public notice had been provided as ordered.

On December 11, 2003, Mr. Earl M. Hasbrouck, a customer of the Company, filed a request to intervene in the proceeding.

On December 22, 2003, the Company filed a response to Mr. Hasbrouck's request for intervention. The Company pointed out that in recent proceedings with respect to a financing application (Docket No. W-01004B-02-0768) and an application for an extension of its Certificate of Convenience and Necessity ("Certificate") (Docket No. W-01004B-03-0510), Mr. Hasbrouck had intervened. In response to a request by Mr. Hasbrouck in the extension proceeding, the Company stated that it had provided its plans and specifications to him with respect to its application and Mr.

1 Hasbrouck has failed to return the documents to the Company's office as he agreed within 30 days of
2 the date they were first provided for his review. The Company also objected to his intervention in
3 this proceeding based upon the fact that in the two previous proceedings Mr. Hasbrouck had
4 attempted to unduly broaden the proceedings and requested that, if intervention is granted in this
5 proceeding, he be advised that the proceeding would be limited to matters dealing with the rate
6 application.


7 On January 2, 2004, Mr. Hasbrouck filed a reply to the Company's response.

8 Accordingly, as a customer, Mr. Hasbrouck has standing to intervene. Pursuant to A.A.C.
9 R14-3-105, Mr. Hasbrouck should be granted intervention in this proceeding, however, Mr.
10 Hasbrouck's intervention should not become effective until 1.) Mr. Hasbrouck returns the
11 specifications and plans related to the Company's extension of its Certificate and 2.) the Company
12 files certification that the plans and specifications have been returned. As an Intervenor, Mr.
13 Hasbrouck should address his concerns only with respect to the rate application herein and not raise
14 issues previously decided by the Commission in Decision Nos. 65852 and 66594, the financing and
15 Certificate extension proceedings, respectively, which were not appealed.

16 IT IS THEREFORE ORDERED that Mr. Earl M. Hasbrouck shall be granted intervention
17 status in this proceeding effective upon Ashfork Development Association, Inc. dba Ashfork Water
18 Service filing certification that the plans and specifications provided to Mr. Hasbrouck earlier by the
19 Company in the extension proceeding, Docket No. W-01004B-03-0510, have been returned to
20 Ashfork Development Association, Inc. dba Ashfork Water Service.

21 IT IS FURTHER ORDERED that until such time as Ashfork Development Association, Inc.
22 dba Ashfork Water Services files the above certification, Mr. Hasbrouck is not an Intervenor in this
23 matter.

24 DATED this 26TH day of February, 2004.

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28 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed
this 26 day of February, 2004 to:

2 Lewis Hume, Manager
3 Ash Fork Development Association, Inc.
4 518 Lewis Avenue
P.O. Box 436
Ash Fork, AZ 86320-0436

5 Earl M. Hasbrouck
6 P.O. Box 1034
Ash Fork, Arizona 86320-1034
7 **Via Certified Mail**
Return Receipt Requested

8 Christopher Kempley, Chief Counsel
9 Legal Division
ARIZONA CORPORATION COMMISSION
10 1200 W. Washington Street
Phoenix, Arizona 85007

11 Ernest Johnson, Director
12 Utilities Division
ARIZONA CORPORATION COMMISSION
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14
15 By: Molly Johnson
16 Molly Johnson
17 Secretary to Marc E. Stern
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